

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
JASPER DIVISION**

JEROME BRADNEY CREEL,

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Petitioner,

)

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v.

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Case No. 6:23-cv-00325-ACA-JHE

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SHERIFF NICK SMITH, et al.,

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Respondents.

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ORDER OF DISMISSAL

Petitioner Jerome Bradney Creel filed a *pro se* petition pursuant to 28 U.S.C. § 2241. (Doc. 1). When Mr. Creel initiated this action, he was incarcerated at the Walker County Jail. (*Id.* at 1). Mr. Creel has since been released from the Walker County Jail but failed to notify the Clerk of Court of a change to his address. (Doc. 4; *see* doc. 5 at 1 n.1). The magistrate judge entered a report recommending the court dismiss this action pursuant to Federal Rule of Civil Procedure 41(b) based on Mr. Creel's failure to prosecute his claims. (Doc. 5). The magistrate judge's report and recommendation, mailed to Mr. Creel at his address of record, has been returned as undeliverable. (Doc. 6).

Mr. Creel's failure to file specific objections waives any challenge to the proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-1. Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court **ADOPTS** the

magistrate judge's report and **ACCEPTS** his recommendation. Accordingly, this action is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b) based on Mr. Creel's failure to prosecute his claims.

DONE and **ORDERED** this May 9, 2023.

A handwritten signature in black ink, appearing to read 'Annemarie', is positioned above a horizontal line.

ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE